

**COMMON AGENDA**  
**TUESDAY, JANUARY 15, 2002 - 8:15 a.m.**  
**COUNTY-CITY BUILDING - ROOM 113**

**I. MINUTES**

- A.** Minutes of Common Meeting of December 3, 2001

**II. PRESENTATIONS**

- 8:15 a.m.*    **A.**    Weed Control - Annual Report & Recommendations -  
   Russ Shultz (15 Min)
- 8:30 a.m.*    **B.**    Comp Plan Update (Planning - 15 Min)
- 8:45 a.m.*    **C.**    Discussion of February Meeting Date (Time As Needed)
- D.**    Election of Officers (Time As Needed)

**III. ADJOURNMENT**

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# COMMON MEETING MINUTES

January 15, 2002- 8:15 a.m.

County-City Building

Conference Room 113

**COUNCIL MEMBERS IN ATTENDANCE:** Jon Camp, Common Chair; Annette McRoy, Coleen Seng, Ken Svoboda; **COUNCIL MEMBERS ABSENT:** Jonathan Cook, Glenn Friendt, Terry Werner.

**MAYOR WESELY:** In Attendance.

**COUNTY BOARD MEMBERS IN ATTENDANCE:** Bernie Heier, Common Vice-Chair; Kathy Campbell; Ray Stevens; Bob Workman Larry Hudkins. **COUNTY BOARD MEMBERS ABSENT:** None

**OTHERS IN ATTENDANCE:** Director Kathleen Sellman, Kent Morgan, Planning Department; Russ Schultz, Noxious Weed Control Authority; Kerry Eagan, Office of the County Board; Clerk Bruce Medcalf, Trish Owen, County Clerk's Office; Dave Johnson, County Attorney's Office; Joan Ray, Council Secretary; several members of the Public.

## I. MINUTES

### 1) Common Meeting of Monday, December 3, 2001

Vice-Chair Bernie Heier, opening the meeting on behalf of Mr. Camp who arrived later, called for approval of the above-listed minutes. Kathy Campbell moved approval of the minutes, as presented. Coleen Seng seconded the motion which carried by the following vote: AYES: Mayor Don Wesely, Kathy Campbell, Larry Hudkins, Coleen Seng, Ray Stevens, Ken Svoboda, Bob Workman; NAYS: None; ABSTAIN: Bernie Heier; ABSENT FOR VOTE: Jon Camp, Annette McRoy; ABSENT: Jonathan Cook, Glenn Friendt, Terry Werner.

## THIS MEETING WAS SCHEDULED TO ADDRESS:

WEED CONTROL - ANNUAL REPORT & RECOMMENDATIONS

COMP PLAN UPDATE

DISCUSSION OF FEBRUARY MEETING DATE

ELECTION OF OFFICERS

WEED CONTROL - ANNUAL REPORT & RECOMMENDATIONS - Mr. Russ Schultz, Superintendent of the Noxious Weed Control Authority, presented the annual report on weed control in the City and County giving the Common members a brief review of that report and the history of the Weed Control Program. [Report on file in the Offices of the Council and of the Weed Control Authority]

Mr. Shultz stated that the public land management personnel are very responsive when notified of violations, though in the Spring, when there is a flush of growth it is difficult to keep up and keep everything below six inches. Mr. Svoboda asked if public land included railroad right-of-way. Mr. Schultz indicated that it was not considered so for his report, but the Weed Control Authority did manage railroad right-of-way areas.

The seriousness of the leafy spurge was discussed. Mr. Schultz indicated that if a landowner keeps the spurge contained during a one year time period with mowing, even though it is not eradicated, the control is verified as satisfactory. This is because it can't be eradicated except by chemical use, which is not allowed.

Mr. Schultz also explained that with development at Pioneer Park, where there is a leafy spurge infestation, the Weed Control Authority does have the authority to quarantine the soil to prevent the spread of the spurge. He explained that the soil could be used on the site and all the equipment would have to be cleaned before leaving the property. He noted that this could be a real problem. Mr. Hudkins asked if the Public Works and Planning Departments had been notified of this issue so they can inform people when they inquire, noting that it would probably be a good idea to do so.

Mr. Svoboda asked if the numbers of musk thistle and some of the other noxious weeds were going down, or increasing? Mr. Schultz indicated that the numbers are going down, by quite a bit. He noted that at one time there was a great deal of musk thistle, but now there are only patches here and there.

Mr. Schultz encouraged the Common Members, if any of them had any questions, to be sure and call him at this office and he would provide information and answers for them. He then moved on to the Recommendations which he wanted to propose. He explained that the multiple violators are still a big work load for this office. He presented the list of ten violators with ten or more violations on record.

Mr. Schultz stated that at this time of year, his office works with these multiple violators, making calls and sending written notifications. He noted that this is a waste of everyone's time, since these entities should be self-motivated to assume responsibility for the weed control on their properties. Ms. Seng noted that except for the City of Lincoln, the rest on the list were developers and were in the development process on the land when they're cited. Mr. Schultz indicated that that was correct.

Mr. Camp asked what measures Mr. Schultz would propose to reduce the work load to try to encourage voluntary compliance by these violators without having to "nudge" them. Mr. Schultz said when the developer is trying to work with his office to get the job done, he works with them; but if not, he forces the issue.

Mr. Schultz stated that at present, if we feel we need to send a legal notice, we send it. When that is necessary, his recommendation would be that instead of sending it, we publish the notice and send them a copy of the public notice. He suggested also that the information be placed on the Internet. This would be done only with those from whom we're not getting a response, but who should be responding.

Mr. Workman suggested that if Mr. Schultz could get the newspaper to just publish the chart of violators he had included in his report, it would do wonders. Mr. Schultz stated that what he was proposing for this coming year is that people will be able to access the internet and will be able to see all of the active violations of the weed ordinance.

He said his office was making progress on the forced cut situation on multiple violators. It used to be much higher, but it's now down to just one with whom we're having major problems.

Ms. Seng noted that she felt Mr. Schultz was doing a marvelous job because she has seen the list of violators when it was very high. She did add that she thought he ought to have a chat with the newspaper and get that information out, because that should be embarrassing to those violators.

Mr. Schultz noted that the repeat violators are putting more emphasis on getting the construction done rather than taking care of the land. They apparently have to be pushed to take care of the land. Of the total 207 multiple violators in the City, these 10 had 19% of the total; the total 207 multiple violators had nearly half of the total violations in the City.

The Common members agreed that getting these multiple violators to take self-initiative in order to help lift the burden from the Weed Control Office staff, was an appropriate goal. Suggestions that were proposed included

- < A letter to the Home Builders Magazine and to the Board of Realtors for their magazine with positive re-enforcement of those who are complying; and a gentle reminder with an offer of assistance to those who are not.
- < Offering a list of violators (with those incurring the highest number of forced cuts heading that list) to the media/newspapers. This might offer some group pressure for self-regulation and compliance.
- < During the dormant season (Winter) contact the major violators and indicate that in this new up-coming season, we will be initiating some of these new procedures, thus giving everyone plenty of notice of violation publication. This alone might increase compliance.

Mr. Svoboda commented that he was encouraged by noting that the major construction companies were not on the list - so some of them are doing it right. He felt the few might just have an internal communication problem which is causing the problems.

Mr. Schultz indicated that during the winter months all multiple violators are contacted and that he would inform them what the plans of action are for this upcoming season. He noted that he appreciated the comments of the Common Members and would implement those suggestions.

His final recommendation was that the Interlocal Agreement between the City and County on Weed Control, because of the split of the work done by his department, be revised from the Current Budget of **41% City/59% County** to a 50/50 split on the costs. He thought his Department should be a City/County entity rather than a sub-division of the Public Works Department with funding through their budget.

Common Members agreed that the interlocal agreement needed to be re-visited and re-vamped. The Mayor agreed that it would be a fair proposal and suggested the interlocal agreement be revised to indicate the 50/50 split. Council as well as County Board Members agreed.

COMP PLAN UPDATE - Director Kathleen Sellman and Mr. Kent Morgan of the Planning Department made a brief presentation reviewing the Comprehensive Plan Schedule. The final outcome of discussion is the Comp Plan Hearings schedule shown below:

May 8<sup>th</sup> - Wednesday - Joint Session at 1:30 p.m. in Chambers (Public Hearing)

May 22<sup>nd</sup> - Wednesday - Joint Session at 4:00 p.m. in Chambers (Public Hearing) (Possibly a Work Session after this meeting)

May 23<sup>rd</sup> - Thursday - Joint Work Session 8:15 - 10:00 a.m. (Room 113) Tentative - If Necessary.

May 28<sup>th</sup> - Tuesday - Final Action - 4:00 p.m. in Chambers for Council County to take Action on 28<sup>th</sup> at their regularly scheduled 1:30 p.m. meeting, but will stay and sit through Council's session.

DISCUSSION OF FEBRUARY MEETING DATE - This discussion resulted in the following February meeting date and topic being confirmed:

The February Common Meeting has been scheduled for:

Monday, February 25<sup>th</sup> at 3:00 - 5:00 p.m. - Conference Room 113

The Only Agenda Item for the day will be the Street Construction & Long Range Road & Street Planning Coordination (One-Two Hours)

(Public Works/County Engineers/Planning)

Also proposed and duly noted for inclusion as future Common Agenda Items:

Discussion relating to the televising of Common Meetings

Presentation of the REPOSA proposal.

ELECTION OF OFFICERS - Ms Kathy Campbell moved to nominate County Commissioner Bernie Heier as the 2002 Common Chair. The motion was seconded by Coleen Sang and approved by unanimous consensus.

Ms. Coleen Seng moved to nominate City Council member Ken Svoboda as the 2002 Common Vice-Chair. The motion was seconded by Bernie Heier and approved by unanimous consensus.

**OLD BUSINESS** - None

**NEW BUSINESS** - The Agenda for the Joint LPS/County/City Meeting of January 25, 2002 was discussed briefly.

**ADJOURNMENT** - Mr. Camp called for adjournment. The motion was made and seconded and Mr. Camp declared the meeting adjourned.

*Submitted by*

*Joan V. Ray*

*Council Secretary*